

TOWN OF TRURO
BOARD OF SELECTMEN
JOINT MEETING OF WEDNESDAY, MARCH 1, 2006

The Truro Board of Selectmen met for a joint meeting with Provincetown on Wednesday, March 1, 2006 at 5:30 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Paul J. Asher-Best, Christopher R. Lucy, Town Administrator Pamela Nolan, Administrative Secretary Julie DuPree, Kevin Kuechler, Blake Martin, Muriel Crisana, Axel Schmidt, Claire Perry, Kathy Rosenkamp, Janice Johnson, Provincetown Selectmen Cheryl Andrews, Richard Olson, David Nicolau, Michele Couture, and Sarah Peake, Administrator Keith Bergman, David Guertin, Mark White, Andy Miller, and Pru Sowers of the Banner. Lloyd F. Rose and Assistant Town Administrator John J. Sanguinet were absent.

Mr. Gaechter convened the meeting at 5:30 p.m.

Opening comments: Mr. Gaechter said that this meeting was an opportunity to put the positions of both towns on the table so that they can jointly understand the positions and reach eventual agreement and the goal of redundancy. He was confident that they would find a way to an agreement that would be mutually satisfactory. His Board is committed to that, and they know the need to protect the aquifer and the people of Truro; it is the same for Provincetown.

Mr. Bergman gave an overview of the further testing begun in September, and the alternate locations for wells. They are proceeding with getting Seashore permit to use the old Air Force wells on an emergency basis for this summer and while getting North Union Field (NUF) online. Mr. Gaechter assured him the Truro BOS would support their efforts to do this. He is pleased with the spirit of the multi-straw approach and the cooperation between the towns and the NPS.

Test reports: The engineers for the Town of Provincetown ran through a summary of their investigation. Mr. White noted that well #6 and #7, at the center of the property have the best potential. They have successfully completed the DEP permitting for long-term pump tests on those wells. Truro had requested an evaluation of well #8 and they have found the conditions are not as good with half the yield of either #6 or #7. He would estimate that wells #2, 3, 4, and 5 would yield approx. 100k-250k gpd. Mr. Miller thought there would not be more than 100k from each single well. Well #2 would fall outside the State's guidelines. Mr. Palmer said that well #1 was off the table because of its location. Mr. Miller went on to say that well #4 was the worst well, with sediment and a large amount of drawdown and the potential for upconing; #5 is on the lower range. Truro's engineer, Blake Martin agreed somewhat, but said that there can be problems with small test holes that would not occur with the finished well. He agreed that #2 has problems, but feels that with multiple wells along the southern border, they could gain the needed capacity and it would be good to have multiple sites. Mr. Miller noted the finer grade material found at #4 and #5. Mr. Martin said that design methods have not been discussed yet and could deal with some of those issues. He feels that the main difference between two wells and multiple wells is money. Mr. Gaechter said if the only criteria was location, they would use the best wells, but the Truro BOS have other considerations. Mr. Miller said they would have to submit a change pump test proposal to DEP if they were to use multiple wells along the southern border. Mr. Bergman said that to save money, test wells would be left in for development, if they moved away from #6 and 7. Mr. Miller said that it would cost between \$50k and \$75k to

construct each test well as a final well. Mr. Bergman said the next round of tests on #6 and #7 will cost \$500k; if they are not going to use them, he would rather not do it. Mr. Palmer said he thought it was unfair to pursue anything but #6 and #7. Mr. Asher-Best asked if with a cap of 500k gpd (the capacity at South Hollow), could they get true redundancy from these two wells? The Provincetown engineers thought they may; these figures are estimates until the long-term pump tests are done to fill in the blanks. It is a timing issue. They are optimistic that this may fill redundancy; they should get at least 750k gpd, and Mr. White said they are confident of 500k gpd.

Future testing: Mr. White said that they have to test at one million gpd because they couldn't get a permit for more than you test at even if you find you can pump more. Mr. Martin disagreed; you can test for 1 ½ times, which would be 750k gpd. Mr. White disagreed with that. Mr. Miller said that over a short period of time there would be no danger of over-pumping. Mr. Gaechter questioned if this would affect area wells. Mr. Miller said the CCC well was the nearest; they anticipate inches to a foot of drawdown. They don't anticipate a problem and usually with ten days of pumping there is recovery in five days. Mr. Nicolau asked were all the water pumped would go? Mr. Guertin said it will go into the woods in the Seashore to the northwest of the property, with NPS permission. This will recharge the aquifer. The water is "unfinished" and so not useful for any other purpose. Mr. Asher-Best asked if 800k gpd was redundancy, why go for one million gpd? He wanted assurance that Provincetown was not going to try to raise their permitted gpd. He has been telling his constituents that NUF does not mean more water for Provincetown. Mr. Guertin said that DEP wanted them to start at the highest maximum theoretical withdrawal for the purposes of this test only (one million). Mr. Miller said that when he tests, he will stress the aquifer as much as he can. He will have better data that way. Mr. White said that if they can go for permitting at 900k gpd, why wouldn't they? Mr. Asher-Best asked if this would influence the DEP pumping cap. Mr. Guertin replied that yes, it sets the cap. Mr. Bergman said that Provincetown's policy is a no growth policy, and to achieve redundancy. They are not going to pump all the wells at the same time. These wells will give them alternatives and use the multi-straw approach. Mr. Palmer asked if there was any intention on the part of Provincetown to use the newly developed well fields as a basis for requesting an increase in the maximum feasible withdrawal limit of 850k gpd. Mr. Guertin replied that there was not; the goal is redundancy as required by the DEP and there would be no request to increase the maximum feasible withdrawal. Ms. Andrews said redundancy was the answer to Mr. Asher-Best's question. Mr. Gaechter saw nothing wrong with knowing what the maximum is, even if you are not going to pump it. Mr. White explained that there are two types of permits. One is the overall permit, which stands at 850k gpd, and there is a separate well field permit which limits how much you can pump from that well field. Mr. Martin was assured that Provincetown's intention was just to amend the source location. Mr. Miller will test each well separately at a million gpd each. Mr. Martin asked if he would then run a combined test. Mr. Miller said no; there was nothing to be gained because even if both wells were used together, they were not to exceed 500k gpd. He estimated that the well field should last 50-100 years. Mr. Palmer summed up by saying that both Boards agree on #6 and #7, and that there will be no change in the registration to withdrawal. It will remain at 850k gpd.

Beginning points to negotiation: Mr. Palmer ran through Truro's points.

1. True redundancy --a new supply of 800k gpd.
2. A production time line with specific benchmarks leading to C5 on line no later than one year after NUF. Ms. Peake commented that they would not want to go through the expense of C5 if they were able to get redundancy at NUF. Mr. Gaechter said that it was not just redundancy, it is the multi-straw effect. They could soften their position, but they still want to proceed with C5. Mr. Kuechler elaborated on that, saying that South Hollow and NUF are less than ½ mile apart--and the area is loaded with private wells. The multi-straw theory works by spreading the straws apart. Mr. Bergman said that there is a statutory limit; Provincetown cannot go further south. It would require legislation. Truro's approval is not enough. Mr. Asher-Best said that they can change the law, especially if there is no objection from Truro. Mr. Gaechter said this was an action item to investigate.
3. Penalties will be imposed if the time frame is not adhered to. Ms. Peake questioned this. Mr. Palmer said PLOG would oversee this---point #4. Mr. Bergman asked if there were another location other than C5. Mr. Gaechter told him none that has been identified, but they would work together if they need to identify another location. This is a partnership. Mr. White said that nothing suggests that pumping both South Hollow and NUF would be unsafe. Multiple straws is a good thing, but there is not an environmental threat to NUF; our modeling shows this is what is sustainable. Mr. Bergman noted that if there is a one year difference between NUF and C5 going online, increases to water rates would be staggering. They couldn't spread it out over time. Mr. Gaechter said that C5 was key; whether a year or not, that is negotiable.
4. PLOG would have administrative oversight of all well field development. This would be consistent with the description of PLOG in the Inter-Municipal Water Agreement.
5. This is moot. Truro concedes development of three or more wells along the southern border. It is agreed to go with #6 and #7.
6. If the southern wells cannot be developed, the northern most portion of the NUF will be considered to have more value.
7. Acquisition (by lease) of NUF will be based on an appraised valuation.
8. A limit on additional seasonal withdrawal from any source of 330k gpd. Mr. Bergman noted that they have had to pump aggressively. He feels that the use of artificial numbers is not a good way to manage the system.
9. Periodic review to ensure the yearly withdrawal is not exceeded. Mr. Palmer said this could be done through monitoring and both towns would have oversight.
10. Monitoring of withdrawal to be overseen by PLOG which will have authority to approve necessary deviations from the agreement to insure the best use of system.
11. Penalties if the yearly withdrawal limits are exceeded. Mr. Kuechler said he would love to see 400k gpd each at NUF, South Hollow and C5. Mr. Palmer said seasonal over-pumping is most important to monitor, and they can come to an agreement on the number. Mr. Guertin said he would love to have flexibility; it would be a wonderful thing. It is shaping the beast that is the challenge. Ms. Andrews said compliance is the stated goal of the Provincetown BOS. She spoke to how far they had come in reducing pumpage and finding leaks. Ms. Peake said that the new sewer system has also changed things; conservation has been caused by two bills.
12. A lease in perpetuity with the property reverting to Truro ownership if the wells are abandoned for any reason. Ms. Nolan said a lease in perpetuity may be a problem; she doesn't

think you can legally do this.

Other concerns: Mr. Bergman said special legislation is a concern to him. The service area ends at the lie at NUF. Does Truro want to expand it? Mr. Gaechter said they would have to investigate that. They have no idea at this point. If C5 is developed only anything directly abutting the pipeline is affected, as is in the agreement now and new users would be minimal at the present time. Mr. Gaechter didn't wish to see a back and forth between Boards, but would recommend they have staff research and negotiate points; Ms. Nolan and Mr. Bergman should meet. Mr. Bergman said his Board would meet. He agrees that there should be policy direction on both sides. He asked about deadlines. Mr. Palmer said he sees no objection to going forward with testing. Mr. Martin asked why they don't just test #6? Mr. Guertin said it was to gain internal redundancy. Mr. Martin said that spending ½ a million dollars on a pumping test seemed staggering to him. Also, the Walsh property has to be addressed for #7, where #6 is O.K. Mr. Bergman said he is assuming he is talking to the party who owns the property. Mr. Palmer agreed that it is Truro's responsibility to solve that. Mr. White said the money wasn't just for the pump test itself, they must get through modeling and environmental studies, permitting, and CCC stuff. Mr. Martin said he was still skeptical of trying to stuff that much water out of one site. He disagrees with Mr. Bergman about the need for legislation. He feels they would be much better off with C5 and Truro is being very gracious to allow Provincetown to go forward. They could get 500k gpd out of the one well and get another well at C5. You need to look forty years down the road. He feels it is money better spent to test just #6 and develop C5. Mr. Gaechter said that is the kernel of Truro's philosophy.

At 7:05 p.m. the discussion ended and the meeting was adjourned.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Paul Asher-Best, Clerk

Christopher R. Lucy
Board of Selectmen
Town of Truro

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